

**CITY COUNCIL MEETING OF**  
***February 21, 2007***  
**VERBATIM TRANSCRIPT – ITEM 52**

**Discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80's Limited, dba Squiggy's, 530 South Martin Luther King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50% and Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Weekly)**

**APPEARANCE LIST:**

OSCAR GOODMAN, Mayor

LARRY BROWN, Councilman

JIM DiFIORE, Manager, Business Services Division

BILL HENRY, Senior Litigation Counsel

BROOKE BOHLKE, Attorney for Danny Piper and Joe Bunch

LOIS TARKANIAN, Councilwoman

LAWRENCE WEEKLY, Councilman

STEVE WOLFSON, Councilman

DANNY PIPER

9 minutes

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22    **MAYOR GOODMAN**

23    Okay. Fifty-two is discussion and possible action on a Review of Conditions of a Tavern License  
24    and a Gaming License for Scotch 80's Limited, doing business as Squiggy's, 530 South Martin  
25    Luther King Boulevard in Ward 5.

26    I think I have to abstain from this; I did last time based on my relationship with Mr. Piper. It's –  
27    we see each other all the time, we're neighbors and I would feel very uncomfortable voting on  
28    this.

29

30    **COUNCILMAN BROWN**

31    (Inaudible)

32

33    **MAYOR GOODMAN**

34    Excuse me? Oh, the record is, yes, I read it in. Yes.

35

36    **COUNCILMAN BROWN**

37    Good morning.

38

39    **JIM DiFIORE**

40    Okay. Councilman and members of the Council, today we're here to hear a request, I believe,  
41    from Mr. Piper and Mr. Bunch for an Extension of Time on their license. As you may recall, in  
42    August of two thousand and six, in lieu of proceeding with disciplinary action on the license for  
43    Squiggy's, the Council voted to add conditions to their license and one of those conditions was to  
44    require the applicant or the licensee to sell the business within a six-month period of time.  
45    However, there was a caveat and – if that did not take place, the licenses would be automatically  
46    revoked. There was a caveat to that. If they had a buyer who had his applications submitted,  
47    deposit money in escrow, submitted to the office and submitted to the State Gaming Control  
48    Board, they could make a request for an extension of that six-month period of time to allow the  
49    investigation to go through, to allow the new buyer to come forward for the City Council

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consideration for approval, and that application has been submitted to our office, and so they're here today to make a request for an Extension of Time.

**BILL HENRY**

Mayor, may I be heard, please?

**COUNCILMAN BROWN**

Mr. Henry.

**BILL HENRY**

Thank you. Because this matter is in litigation and because an issue in the litigation, the central issue in the litigation is whether or not their, the conditions on their liquor license were changed as a part of the disciplinary item or as a part of the sep, separate agenda item that was before you that day, I, I'd like to clarify for the record that having read the transcript that it's my understanding that there were two items before you that day. One was the abeyed disciplinary item, which had gone more than 60 days and which you found you no longer had jurisdiction and you did not proceed on that. There was a separate agenda item to add conditions to their license, including the ones that Mr. DiFiore mentioned, and that was the one that you did proceed on and add those conditions to their license. Thank you.

**BROOKE BOHLKE**

Thank you Mr. Mayor and Councilmembers. My name is Brooke Bohlke on behalf of Callister and Reynolds, and along with me are our clients, Danny Piper and Joe Bunch, owners of Scotch 80's Limited dba Squiggy's. At this time Scotch 80's Limited has complied with all the conditions that had been placed on their license, and specifically are working in order to sell the business within the six-month probationary period that we were given.

Specifically, we are currently in escrow and proof has been provided to the City Attorney's Office. The City of Las Vegas' application has been provided to the City of Las Vegas Business License Department. Our application has been presented to the State of Nevada Gaming Control.

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79 Further, Squiggy's continues to maintain hours of operation that you previously set for us,  
80 specifically opening at 10 a.m. with the last call at 1 a.m. and closing the doors at 2 a.m. We're  
81 currently still, strictly enforcing the ID requirements, which prevents anyone under the age of 25  
82 from entering the premises. And because we have not, been unable to sell the business prior to  
83 this time, we would be requesting another six-month conditional extension. We are currently,  
84 like I said, we are currently in escrow to sell the business, but it's our understanding that for  
85 specific licensing reasons, the purchasers need approximately that amount of time in order to  
86 finalize the sale.

87  
88 **COUNCILMAN BROWN**

89 Comments or questions from the Board?  
90

91 **COUNCILWOMAN TARKANIAN**

92 I just like to know how Jim feels about this.  
93

94 **JIM DiFIORE**

95 Well, I – know that one of the conditions was, on the Extension of Time, was that they would  
96 come back to the City Council within 30, in 30-day increments to see just where the investigation  
97 and the buyer is at that point in time. I – think the six months might be a little too much period  
98 of time down the road. I – would probably suggest to the Council more – on the term of 60 days  
99 so that we can find out where we are with the sale and the close of escrow and as –well as giving  
100 you an update as to where the investigation is on the new buyer.

101  
102 **BROOKE BOHLKE**

103 And we would be more than happy to comply with a 60-day status check as well.  
104

105 **COUNCILMAN BROWN**

106 Councilman Weekly?  
107

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108    **COUNCILMAN WEEKLY**

109    No questions?

110

111    **COUNCILMAN WOLFSON**

112    Yes. I'm sorry. Councilman Brown, thank you. Maybe I missed something, I was in the back  
113    room for just a minute, but Jim, are they in compliance with everything that is listed as it states in  
114    this agenda item that they could appeal to the Council for an extension if they have a signed  
115    sales' agreement with the deposit in escrow. They have that?

116

117    **JIM DiFIORE**

118    Yes, they have.

119

120    **COUNCILMAN WOLFSON**

121    Okay. An application for transfer of ownership filed with Business Services and a new gaming  
122    application filed with State Gaming and Business Services. They have all of those things in  
123    place?

124

125    **JIM DiFIORE**

126    They have those all submitted.

127

128    **COUNCILMAN WOLFSON**

129    Thank you.

130

131    **JIM DiFIORE**

132    I would add that, given the 60-day period of time, I would add that the – conditions that were  
133    imposed by the City Council on August 16th would remain in effect.

134

135

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136 **BROOKE BOHLKE**

137 Oh, and City Councilmen person, Mr. Mayor, we'd also like reconsideration of two of those  
138 items. Number one is the age restriction. Currently, we're having problems with Gaming  
139 Control Board, and unfortunately I don't have a copy of the letter to show you today, but Gaming  
140 Control Board has advised us that it is a violation of NRS Statutes to refrain from allowing  
141 people under 25 years of age into an establishment where there is gaming. They specifically  
142 stated that the law allows for all members of the public age 21 and over for entrance into an  
143 establishment with gaming control. So, that would be the reason why we'd be humbly asking  
144 you to reconsider that restriction.

145 Number two, we'd – also ask that you reconsider the restriction forcing us to close our doors at 2  
146 a.m. Gaming establishments, although they don't require that the doors be open 24 hours, they  
147 do recommend it, and we've been in numerous negotiations with the Gaming Control Board  
148 trying to explain why these conditions were in place against our license and why we've been  
149 transacting the business the way we have been.

150

151 **COUNCILMAN WEEKLY**

152 Is that it? Okay. All right. First of all, I'd like to thank you, Mr. Piper. I spoke with Mr. Piper a  
153 couple of weeks ago. I appreciate you filling me in on what was going on with you all and I  
154 appreciate the communications.

155 As it relates to the recommendations by staff, **I'll move for that recommendation for the 60**  
156 **days. Attorney Bohlke, as it relates to the age restriction, I can delete that one. I don't**  
157 **have a problem with that. But I do have a problem with the time. I'd like to leave that in**  
158 **place until we see what happens after the 60 days.**

159

160 **DANNY PIPER**

161 That's great.

162

163 **COUNCILMAN WEEKLY**

164 Okay. That'll be my motion, please.

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165     **BROOKE BOHLKE**

166     Thank you, Councilman –

167

168     **COUNCILMAN WEEKLY**

169     You're welcome.

170

171     **BROOKE BOHLKE**

172     – Weekly.

173

174     **COUNCILMAN WEEKLY**

175     Thank you all very much.

176

177     **COUNCILMAN BROWN**

178     And notwithstanding those changes, also including those that were approved on August 16th,

179     two thousand –

180

181     **COUNCILMAN WEEKLY**

182     Yes, Sir.

183

184     **COUNCILMAN BROWN**

185     – and six?

186

187     **COUNCILMAN WEEKLY**

188     Yes, Sir.

189

190     **COUNCILMAN BROWN**

191     Motion on the floor. Please cast your vote. Post. Motion carries. **(Motion carried**  
192     **unanimously with GOODMAN abstaining and REESE excused)**

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194 **DANNY PIPER**

195 Thank you very much.

196

197 BROOKE BOHLKE

198 Thank you very much.

199

200 COUNCILMAN BROWN

201 April 18th. Thank you.

202

**(END OF DISCUSSION)**

203 /ac;yy